

CHAPTER 20:06:40

EMPLOYER PLANS

Section

- 20:06:40:01 Waiting periods, affiliation periods, and applications relating to breaks in coverage.
- 20:06:40:02 Short-term, limited duration policies.
- 20:06:40:03 Certificates required upon losing coverage.
- 20:06:40:04 Standards for determinations on length of preexisting waiting periods.
- 20:06:40:05 Special enrollment periods for marriage, birth, and adoption.
- 20:06:40:05.01 Special enrollment periods for loss of other coverage.
- 20:06:40:06 Affiliation periods for health maintenance organizations.
- 20:06:40:07 Repealed.
- 20:06:40:08 Standards for determining when a condition is preexisting.
- 20:06:40:09 Notification of determinations on preexisting waiting periods and appeal and reconsideration procedures.
- 20:06:40:10 Creditable coverage and preexisting waiting periods for newborn and adopted children.
- 20:06:40:11 Renewal rights under association plans.
- 20:06:40:12 Health benefit arrangement defined.
- 20:06:40:13 Public health plan defined.
- 20:06:40:14 Carrier defined.
- 20:06:40:15 Permissible methods of crediting coverage -- Alternative method prohibited.
- 20:06:40:16 Notice describing plan's special enrollment required.
- 20:06:40:17 Group health plans to offer breast reconstruction options after covered mastectomy.
- 20:06:40:17.01 Written notification regarding coverage of reconstructive surgery after a mastectomy required.

20:06:40:17.02 Prohibited practices.

20:06:40:17.03 Not a termination of collective bargaining agreement.

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20:06:40:18 Claims experience defined.

120:06:40:19 Additional continuation election.

120:06:40:20 Period of special continuation.

120:06:40:21 Treatment of special continuation.

120:06:40:22 Premium subsidy.

120:06:40:19. Additional continuation election. An individual who qualifies as an assistance eligible individual pursuant to the American Recovery and Reinvestment Act of 2009 and failed to elect continuation upon the qualifying event may elect special assisted continuation of coverage as provided in the American Recovery and Reinvestment Act of 2009.

The insurer shall, no later than April 18, 2009, provide the additional notice, either directly to the eligible individual or indirectly to the eligible individual through the employer, of the right to elect coverage pursuant to this section. An assistance eligible individual electing continuation pursuant to this section must make the election to the insurer within 60 days following receipt of the notice.

Source:

General Authority: SDCL 58-18-79 (16).

Law Implemented: SDCL 58-18-7, 58-18-7.5.

120:06:40:20. Period of special continuation. Special assisted continuation of coverage elected pursuant to § 120:06:40:19 commences with the first period of assisted continuation of coverage beginning on or after, February 17, 2009, and extends for the period as though the election had been made pursuant to SDCL 58-18-7.5 to 58-18-7.20, inclusive, upon the date of the qualifying event.

Source:

General Authority: SDCL 58-18-79 (16).

Law Implemented: SDCL 58-18-7, 58-18-7.5.

120:06:40:21. Treatment of special continuation. Any person electing continuation pursuant to § 120:06:40:19 is considered as having continuing coverage and is not subject to a preexisting condition exclusion.

Source:

General Authority: SDCL 58-18-79 (16).

Law Implemented: SDCL 58-18-7, 58-18-7.5.

120:06:40:22. Premium subsidy. An individual eligible for assisted continuation of coverage who elects such coverage is entitled to the premium subsidy provided in the American Recovery and Reinvestment Act of 2009 so long as the individual meets the

requirements for special assisted continuation coverage pursuant to the terms of the American Recovery and Reinvestment Act of 2009.

Source:

General Authority: SDCL 58-18-79 (16).

Law Implemented: SDCL 58-18-7, 58-18-7.5.